



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

JUL 10 2003

REPLY TO THE ATTENTION OF:

Lefton Iron & Metal Site
SE-5J

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

EPA Region 5 Records Ctr.



352910

Dear Sir or Madam:

On March 6, 2003, the United States Environmental Protection Agency (U.S. EPA) issued information requests to Lefton Iron & Metal Company, United Iron and Metal and S & S Properties and Lefton Land and Development ("Lefton"), pursuant to Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) as amended, 42 U.S.C. Section 9604(e). This information request required Lefton to provide certain documents and information within 30 days of Lefton's receipt of the request.

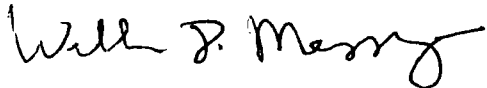
Please be advised that as of the date of this letter, U.S. EPA has not received a response from Lefton to the above referenced information request. To avoid initiation of an enforcement action for violating Section 104(e) of CERCLA, Lefton must provide a complete response to the information request immediately but no later than **10 business days** from Lefton's receipt of this letter. Lefton may, if so desired, assert a business confidentiality claim described by 40 CFR 2.203(b). Information covered by such a claim will be disclosed by U.S. EPA only to the extent, and only by means of the procedures, provided in CFR Part 2, Subpart B. If no such claim accompanies the information when it is received by U.S. EPA, it may be made available to the public by U.S. EPA without further notice to Lefton.

Continued failure to comply with the U.S. EPA's information request by fully, truthfully and timely responding to all items of that request, or adequately justifying such failure to respond, may subject Lefton, including its officers and agents to an enforcement action seeking to compel compliance and collect

penalties of up to \$27,500 per day of noncompliance pursuant to Section 104(e)(5) of CERCLA, 42 U.S.C. Section 9604(e)(5). U.S. EPA has the authority to use the information requested herein in an administrative, civil, or criminal action.

Please contact Tom Martin, Associate Regional Counsel, at (312) 886-4273, if you have any legal questions regarding this matter. All other questions should be directed to Valerie Mullins, Emergency Enforcement & Support Section, at (312) 353-5578.

Sincerely yours,



William D. Messenger, Chief
Emergency Enforcement and Support Section

Enclosure/ copy-104(e)

Respondents List

Lefton Iron & Metal Company
c/o Benjamin Lefton
P.O. Box 219
East St. Louis, IL 62201

Lefton Iron & Metal Company;
United Iron & Metal and S & S Properties
c/o Norman Lefton
P. O. Box 219
East St. Louis, IL 62201

Lefton Land and Development
P. O. Box 2317
East St. Louis, IL 62202



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CHICAGO, IL 60604-3590

COPY

MAR 06 2003

REPLY TO THE ATTENTION OF:

SE-5J

PROMPT REPLY NECESSARY

CERTIFIED MAIL: RETURN RECEIPT REQUESTED

Re: Request for Information Pursuant to Section 104 of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. § 9601, et seq., commonly referred to as "CERCLA" and "Superfund."

Site: Lefton Iron & Metals Company Sites located at 1901 South Converse Street, 205 South 17th Street and 303 South 11th Street in St. Clair County, East St. Louis, Illinois

This letter seeks your cooperation in providing information and documents relating to the contamination present at any of three (3) Superfund sites owned and formerly operated by Lefton Iron & Metals Company in East St. Louis, Illinois (referred to as the "Lefton Sites"). A Superfund site is a site contaminated with high levels of hazardous substances that may present a threat to human health or the environment.

We encourage you to give this matter your immediate attention and request that you provide a complete and truthful response to this Information Request and attached questions (Attachment B) within **30 days** of your receipt of this letter.

The United States Environmental Protection Agency ("U.S. EPA") is investigating the release or threat of release of hazardous substances, pollutants, or contaminants at the Sites. U.S. EPA is seeking to obtain information concerning the generation, storage, treatment, transportation, and methods used to dispose of such substances that have been, or threaten to be, released from the Sites. U.S. EPA will study the effects of these substances on the environment and public health. In addition, U.S. EPA will identify activities, materials, and parties that contributed to contamination at the Sites. U.S. EPA believes that you might have information which may assist the Agency in its investigation of the Sites.

U.S. EPA, in conjunction with the Illinois EPA, has determined that the decades long practice at Lefton of receiving scrap metals and other materials impacted the surrounding soils and created an environmental hazard for area residents. Investigation by U.S. EPA revealed the presence of

polychlorinated biphenyls (PCBs), lead and/or other heavy metals at all three Sites. The levels of PCBs in the surface soils at the Converse Street and 17th Street Sites were at concentrations considered hazardous. The levels of lead in the surface soils at all three Sites were at concentrations considered hazardous. The Lefton Sites' proximity to residential properties and other businesses required U.S. EPA's involvement to immediately control and remove the hazard. The high concentrations posed a threat to human health and the environment.

U.S. EPA used (or is currently using) public funds to perform removal activities and background investigations at and adjacent to the Sites.

Description of Legal Authority

The federal "Superfund" law (the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. § 9601, *et seq.*, commonly referred to as "CERCLA" and "Superfund") gives U.S. EPA the authority to, among other things: (1) assess contaminated sites, (2) determine the threats to human health and the environment posed by each site, and (3) clean up those sites in the order of the relative threats posed by each.

Information Request

Under Section 104(e)(2) of CERCLA, 42 U.S.C. § 9604(e)(2), U.S. EPA has broad information gathering authority which allows U.S. EPA to require persons to furnish information and documents relating to:

- (A) The identification, nature, and quantity of materials which have been or are generated, treated, stored, or disposed of at a vessel or facility or transported to a vessel or facility.
- (B) The nature or extent of a release or threatened release of a hazardous substance or pollutant or contaminant at or from a vessel or facility.
- (C) Information relating to the ability of a person to pay for or to perform a cleanup.

Although U.S. EPA seeks your cooperation in this investigation, compliance with the Information Request is required by law. Please note that false, fictitious, or fraudulent statements or representations may subject you to civil or criminal penalties under federal law.

Some of the information U.S. EPA is requesting may be considered by you to be confidential. Please be aware that you may not withhold the information upon that basis. If you wish U.S. EPA to treat the information confidentially, you must advise U.S. EPA of that fact by following the procedures outlined in Attachment A, including the requirement for supporting your claim for confidentiality.

If you have information about other parties who may have information which may assist the Agency in its investigation of Lefton and the Lefton Sites or may be responsible for the contamination at any of the Sites, that information should be submitted within the time frame noted above.

This Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1995, 44 U.S.C. § 3501 et seq.

Instructions on how to respond to the questions in Attachment B to this document are described in Attachment A. Your response to this Information Request should be mailed to:

SAIC
c/o U.S. Environmental Protection Agency
Valerie Mullins, Enforcement Specialist
Emergency Enforcement & Support Section, SE-5J
333 West Wacker Drive
Suite 1480
Chicago, Illinois 60606

We appreciate and look forward to your prompt response to this Information Request.

Sincerely,


For

William D. Messenger, Chief
Emergency Enforcement and Support Section

Enclosures

Information Request
Respondents

Lefton Iron & Metal Company
c/o Benjamin Lefton
P. O. Box 219
East St. Louis, IL 62201

Lefton Iron & Metal Company, United Iron and Metal and S & S Properties
c/o Norman Lefton
P. O. Box 219
East St. Louis, IL 62201

Lefton Land and Development
P.O. Box 2317
East St. Louis, IL 62202

Attachment A
Information Request

Instructions

1. **Answer Every Question Completely.** A separate response must be made to each of the questions set forth in this Information Request. For each question contained in this letter, if information responsive to this Information Request is not in your possession, custody, or control, please identify the person(s) from whom such information may be obtained.
2. **Number Each Answer.** Precede each answer with the corresponding number of the question and the subpart to which it responds.
3. **Provide the Best Information Available.** Provide responses to the best of your ability, even if the information sought was never put down in writing or if the written documents are no longer available. You should seek out responsive information from current and former employees/agents. Submission of cursory responses when other responsive information is available to you will be considered non-compliance with this Information Request.
4. **Identify Sources of Answer.** For each question, identify (see Definitions) all the persons and documents that you relied on in producing your answer.
5. **Continuing Obligation to Provide/Correct Information.** If additional information or documents responsive to this Request become known or available to you after you respond to this Request, U.S. EPA hereby requests pursuant to Section 104(e) of CERCLA that you supplement your response to U.S. EPA.
6. **Confidential Information.** The information requested herein must be provided even though you may contend that it includes confidential information or trade secrets. You may assert a confidentiality claim covering part or all of the information requested, pursuant to Sections 104(e)(7)(E) and (F) of CERCLA, 42 U.S.C. §§ 9604(e)(7)(E) and (F), and Section 3007(b) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. § 6927(b), and 40 C.F.R. § 2.203(b).

If you make a claim of confidentiality for any of the information you submit to U.S. EPA, you must prove that claim. For each document or response you claim confidential, you must separately address the following points:

- (a) the portions of the information alleged to be entitled to confidential treatment;
- (b) the period of time for which confidential treatment is desired (e.g., until a certain date, until the occurrence of a specific event, or permanently);

- (c) measures taken by you to guard against the undesired disclosure of the information to others;
- (d) the extent to which the information has been disclosed to others; and the precautions taken in connection therewith;
- (e) pertinent confidentiality determinations, if any, by U.S. EPA or other federal agencies, and a copy of any such determinations or reference to them, if available; and
- (f) whether you assert that disclosure of the information would likely result in substantial harmful effects on your business' competitive position, and if so, what those harmful effects would be, why they should be viewed as substantial, and an explanation of the causal relationship between disclosure and such harmful effects.

To make a confidentiality claim, please stamp or type "confidential" on each page of all confidential responses and any related confidential documents. Confidential portions of otherwise nonconfidential documents should be clearly identified. You should indicate a date, if any, after which the information need no longer be treated as confidential. Please submit your response so that all non-confidential information, including any redacted versions of documents, is in one envelope and all materials for which you desire confidential treatment are in another envelope.

All confidentiality claims are subject to U.S. EPA verification. It is important that you satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so, and that it is not and has not been obtainable by legitimate means without your consent. Information covered by such claim will be disclosed by U.S. EPA only to the extent permitted by Section 104(e) of CERCLA. If no such claim accompanies the information when it is received by U.S. EPA, then it may be made available to the public by U.S. EPA without further notice to you.

7. Disclosure to U.S. EPA Contractor. Information that you submit in response to this Information Request may be disclosed by U.S. EPA to authorized representatives of the United States, pursuant to 40 C.F.R. § 2.310(h), even if you assert that all or part of it is confidential business information. Please be advised that U.S. EPA may disclose all responses to this Information Request to one or more of its private contractors for the purpose of organizing and/or analyzing the information contained in the responses to this Information Request. If you are submitting information which you assert is entitled to treatment as confidential business information, you may comment on this intended disclosure within **fourteen (14)** of receiving this Information Request.

8. Personal Privacy Information. Personnel and medical files, and similar files, the disclosure of which to the general public may constitute an invasion of privacy, should be

segregated from your responses, included on separate sheet(s), and marked as "Personal Privacy Information."

9. Objections to Questions. If you have objections to some or all the questions within the Information Request letter, you are still required to respond to each of the questions.

10. Attached hereto is a sample list of Lefton customers based on an initial review of company invoices (see Exhibit A). This list summarizes information found on the invoices and may be helpful to you in answering the questions posed in this Information Request. Several questions concerning the information found on the Lefton invoices summarized on this list are also posed herein.

Definitions

Please use the following definitions in interpreting the questions and requests for documents in this Information Request:

1. The terms "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of this Information Request any information which might otherwise be construed to be outside its scope.
2. The term "any," as in "any documents" for example, shall mean "any and all."
3. The terms "document" and "documents" shall mean any object that records, stores, or presents information, and includes writings of any kind, formal or informal, whether or not wholly or partially in handwriting, including by way of illustration and not by way of limitation, any invoice, manifest, bill of lading, receipt, endorsement, check, bank draft, canceled check, deposit slip, withdrawal slip, order, correspondence, record book, minutes, memorandum of telephone and other conversations including meetings, agreements and the like, diary, calendar, desk pad, scrapbook, notebook, bulletin, circular, form, pamphlet, statement, journal, postcard, letter, telegram, telex, telecopy, telefax, report, notice, message, analysis, comparison, graph, chart, map, interoffice or intra office communications, photostat or other copy of any documents, microfilm or other film record, any photograph, sound recording on any type of device, any computer disk, any information stored on a computer hard drive or memory tape or other type of memory generally associated with computers and data processing; and (a) every copy of each document which is not an exact duplicate of a document which is produced, (b) every copy which has any writing, figure or notation, annotation or the like on it, (c) drafts, (d) attachments to or enclosures with any document and (e) every document referred to in any other document.
4. The term "hazardous material" shall mean any hazardous substances, pollutants or contaminants, and hazardous wastes, as defined below.
5. The term "hazardous substance" shall have the same definition as that contained in Subsection 101(14) of CERCLA, 42 U.S.C. § 9601(14), and includes any mixtures of such

hazardous substances with any other substances. The hazardous substances are listed at 40 C.F.R. § 302.4.

6. The term "hazardous waste" shall have the same definition as that contained in Subsection 1004(5) of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. § 6903(5), and 40 C.F.R. Part 261.

7. The term "identify" means, with respect to a natural person, to set forth the person's name, present or last known business and personal addresses and telephone numbers, and present or last known job title, position or business.

8. The term "identify" means, with respect to a corporation, partnership, business trust or other association or business entity (including, but not limited to, a sole proprietorship), to set forth its full name, address, and legal form (e.g., corporation (including state of incorporation), partnership, etc.), organization, if any, a brief description of its business, and to indicate whether or not it is still in existence and, if it is no longer in existence, to explain how its existence was terminated and to indicate the date on which it ceased to exist.

9. The term "identify" means, with respect to a document, to provide the type of document, to provide its customary business description, its date, its number, if any (e.g., invoice or purchase order number), subject matter, the identity of the author, addressor, addressee and/or recipient, and the present location of such document.

10. The term "identify" means, with respect to a piece of real property or property interest, to provide the legal description which appears in the county property records office, or in the equivalent office which records real property transactions for the area which includes the real property in question.

11. The terms "includes," or "including" shall not be construed as words of limitation; that is, they shall be construed such that the phrases "without limitation" or "but not limited to" are implied, unless such phrases are already in place. For example, "including x, y, and z" would be construed as "including without limitation x, y, and z" or as "including, but not limited to, x, y and z," but the phrase "including without limitation x, y and z" would be construed as it reads.

12. The term "material" or "materials" shall mean any objects, goods, substances, or matter of any kind, including scrap metal, batteries, scrap material, and electrical equipment, together with liquid or wastes contained therein.

13. The term "person" shall mean an individual, firm, corporation, association, partnership, consortium, joint venture, commercial entity, United States Government, State, municipality, commission, political subdivision of a State, or any interstate body. See Subsection 101(21) of CERCLA, 42 U.S.C. § 9601(21).

14. The term "pollutant or contaminant," shall have the same definition as that contained in Subsection 101(33) of CERCLA, 42 U.S.C. § 9601(33), and includes any mixtures of such pollutants and contaminants with any other substances.

15. The term "property interest" means any interest in property including but not limited to, any ownership interest, an easement, a deed, a lease, a mining claim, any interest in the rental of property, any interest in a corporation that owns or rents or owned or rented property, and any interest as either the trustee or beneficiary of a trust that owns or rents, or owned or rented property.

16. The term "recyclable material" has the same definition as contained in 42 U.S.C. § 9627, and means scrap paper, scrap plastic, scrap glass, scrap textiles, scrap rubber (other than whole tires), scrap metal, or spent lead-acid, spent nickel-cadmium, and other spent batteries, as well as minor amounts of material incident to or adhering to the scrap material as a result of its normal and customary use prior to becoming scrap; except that such term shall not include:

- (a) shipping containers of a capacity from 30 liters to 3,000 liters, whether intact or not, having any hazardous substance (but not metal bits and pieces or hazardous substance that form an integral part of the container) contained in or adhering thereto; or
- (b) any item of material that contained polychlorinated biphenyls at a concentration in excess of 50 parts per million or any new standard promulgated pursuant to applicable Federal laws.

17. The term "release" has the same definition as that contained in Subsection 101 (22) of CERCLA, 42 U.S.C. § 9601 (22), and includes any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment, including the abandonment or discharging of barrels, containers, and other closed receptacles containing any hazardous substance or pollutant or contaminant.

18. The term "scrap metal" shall have the same definition contained in 42 U.S.C. § 9627 and shall mean bits and pieces of metal parts (e.g., bars, turnings, rods, sheets, wire) or metal pieces that may be combined together with bolts or soldering (e.g., radiators, scrap automobiles, railroad box cars), which when worn or superfluous can be recycled, except for scrap metals that the EPA Administrator excludes from this definition by regulation.

19. The term "Sites" or "Lefton Sites" or "Site" shall mean either one, two or all three of the Lefton Iron & Metals Company Superfund Sites located at the following addresses:

- (a) 1901 South Converse Street, St. Clair County, East St. Louis, Illinois

(b) 205 South 17th Street, St. Clair County, East St. Louis, Illinois

(c) 303 South 11th Street, St. Clair County, East St. Louis, Illinois

References to Lefton refer to Lefton's operations of either one, two or all three of the Sites at these addresses. The Sites are described in the enclosed maps (Exhibit 1).

20. The terms "you" or "your company" refer not only to the addressee of this letter as it is currently named and constituted, but also to all predecessors and successors in interest of the addressee, and all subsidiaries, divisions, affiliates, and branches of the addressee and its predecessors and successors.

21. Words in the singular shall be construed in the plural, and vice versa, where appropriate in the context of a particular question or questions as necessary to bring within the scope of this Information Request any information which might otherwise be construed to be outside its scope.

22. All terms not defined herein shall have their ordinary meaning, unless such terms are defined in CERCLA, or 40 C.F.R. Part 300, in which case the statutory or regulatory definitions shall apply.

23. The relevant time frame to which the attached Request refers is 1970 to the present.

Attachment B
Questions

1. Identify all persons consulted in the preparation of the answers to these questions.
2. Identify all documents consulted, examined, or referred to in the preparation of the answers to these questions, and provide copies of all such documents.
3. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any question or who may be able to provide additional responsive documents, identify such persons. Provide the current or most recent known address and telephone number of each individual identified.
4. Describe the business activities of Lefton Iron and Metals (Lefton) at the Sites in East St. Louis, including how each site was used and whether the materials handled at the Sites differed.
5. Identify all persons having knowledge or information about the generation, transportation, treatment, disposal, or other handling of hazardous substances [including materials containing polychlorinated biphenyls (PCBs) or lead or other heavy metals], by you, your contractors, subcontractors or by prior owners and/operators which relates or may relate to any of the Lefton Sites, including but not limited to persons who arranged for disposal of or transported hazardous substances to Lefton.
6. Describe in detail all on-Site spills or releases of oil and/or hazardous substances [i.e., the draining or transformers] that occurred at or around each Site, including the dates and materials involved as well as all sampling and cleanup efforts that were performed for each. Provide all sample results and reports associated with each spill or release.
7. Describe the acts or omissions of any person(s) that may have caused a spill or release oil or hazardous substances, as well as any damages resulting therefrom, at or around any of the Lefton Sites. Describe the cause of each event in detail, and identify any other parties involved or responsible for the oil or hazardous substance at each Site.
8. Describe your policies and procedures for the handling treatment, storage and/or disposal of hazardous substances, oil or liquid waste encountered in the course of your activities at the Sites. Provide copies of records relating to this policy as well as to its implementation.
9. Identify all individuals who currently have, or who previously had, responsibility for your company's environmental matters (e.g., responsibility for the disposal, treatment, storage, recycling, or sale of your company's wastes, scrap materials and/or recyclable materials). For each indicate the dates of the individual's employment and the nature of the

individual's duties and responsibilities, and a description of the type of environmental information about the Sites that the individual would possess.

10. Provide all information in your possession that shows that you were in compliance with applicable federal environmental regulations or standards regarding the storage, transport, management, or other activities associated with the recycling of materials sent to your Sites.
11. Was any shipment of material sent to Lefton ever refused and/or returned? If so, describe this event in detail, including its cause and outcome.
12. Was any material shipment sent to Lefton ever subject of a change in payment terms because of increase of handling costs or any problem with the material sent to the Sites? If so, describe this event in detail, including its cause and outcome.
13. Provide copies of the Material Data Safety Sheets for any materials disposed of or shipped to or stored at Lefton.
14. Have you ever received a formal Information Request [similar to this one] from local, state or federal government? What was the subject matter to which the request applied? Provide a copy of the Request and the documents that made up your response.
15. Specify whether you were ever the subject of legal action by any party, including the government, by virtue of your ownership or operation of the Sites and/or your acceptance, handling, generation at, or transportation of, used oil/hazardous substances or other waste materials to the Sites. If so, describe in detail and provide any records associated with such legal action.
16. Identify all liability insurance policies held by Respondent from the period you owned/leased/operated the Sites and/or accepted/generated/transported used oil/hazardous substances or other waste materials to the Sites. In identifying such policies, state the name and address of each insurer and of the insured, the amount of coverage under each policy, the commencement and expiration date for each policy, whether or not the policy contains a "pollution exclusion" clause, and whether the policy covers or excludes sudden, non-sudden, or both types of accidents. Provide complete copies of all relevant insurance policies.
17. List the EPA Identification Number(s) of the Respondent.
18. Identify all transactions or agreements for disposal in which your company received any material or item, scrap materials, waste materials containing PCBs or lead to the Sites (including but not limited to transformers, capacitors, and hydraulic equipment). In addition:

- (a) Identify the company or person sending such material to the Sites.
 - (b) State the dates on which each such person may have given, sold, transferred, or delivered such material.
 - (c) Describe the source of or the process that produced the waste materials.
 - (d) Describe the materials or items, including type of material, chemical content, physical state, quantity by volume and weight, and other characteristics.
 - (e) Describe the nature, including the chemical content, characteristics, physical state (e.g., solid, liquid) and quantity (volume and weight) of all hazardous substances involved in each such arrangement.
 - (f) State whether any of the material was ever tested by you and if so, whether the hazardous substances exhibited any of the characteristics of a hazardous waste identified in 40 C.F.R. Section 261, Subpart C.
 - (g) Describe what was done to materials once they were brought to the Sites, including any further processing of the materials.
19. Describe in general detail the types of material that you accepted for recycling at Lefton. In your response, please provide answers to the following questions:
- (a) Give the generic name of each type of materials shipped to Lefton [e.g., scrap metal (including scrap automobiles), batteries, scrap paper, scrap plastic or scrap textile (scrap material), etc.].
 - (b) Specify the volume of materials Lefton accepted for recycling on a year by year basis.
 - (c) Specify the top ten companies that sent the most of each generic type of materials to the Sites during the operation of the Lefton Sites.
20. Provide any additional information and all documents that you believe are relevant to the environmental condition of the Lefton Sites.

Questions and Requests for Documents Related to Scrap Metal

21. For the following questions which relate to transactions involving scrap metals [including but not limited to scrap automobiles], provide the requested information, and also provide copies of any documents that any information that is related to the response:

- (a) List the years of operation in which scrap metal was received for recycling at the Sites. In this list state the type and approximate quantity of scrap metal sent for each year, including the top 5 companies that sent the most scrap to the Sites on a year by year basis.
- (b) Did a market exist for the scrap metal listed in your response to question 21(a) above? If so, describe the nature of such market at the time of the transaction (possible uses, possible consumers, etc.) and the source of that commercial specification grade (e.g., ISRI, Department of Defense, or wherever your company would find the grade published).
- (c) What commercial specification grade did the scrap metal listed in your response to question 21(a) meet? Identify/list the commercial specification grades that each scrap metal identified in 21(a) met.
- (d) At the time of the transaction(s) what was the intended disposition of the scrap metal listed in your response to question 21(a)?
- (e) After sale, transfer, delivery, or disposal, what portion of the scrap metal listed in your response to question 21(a) was to be made available for use as a feedstock for manufacturing of new saleable products? Explain how the portion identified in this answer was derived or calculated.
- (f) Could the scrap metal listed in your response to question 21(a) have been used as a replacement or substitute for a virgin raw material? If so, provide details.
- (g) Could any products to be made from the scrap metal listed in your response to question 21(a) have been used as a replacement or substitute for a product made, in whole or in part, from a virgin raw material? If so, provide details.
- (h) Did the generating company melt the scrap metal listed in your response to question 21(a) before it was transported/delivered to the Sites? If yes, describe the process used for melting the scrap metal. In addition, explain whether Lefton ever received for processing "dross" or "skimmings" at the Sites.
- (i) Was the transaction between Lefton and the generating company: 1) an outright sale; 2) subject to a written or verbal "tolling" agreement between the companies; or 3) reflected the "banking" of the transacted material in a metal account at the request of your company for return or other disposition at a later date.

22. Did any of the scrap material sent to Lefton, contain other material(s) incident to or adhering to the scrap? If so, describe in detail.

23. Did any of the material sent to the Sites contain wire or wiring? If so, was the wire's insulation first stripped before being shipped to or accepted at Lefton, or was the wire stripped after being received at the Sites?
24. Did the material shipped include drums or shipping containers? If so, specify the generators of the drums or shipping containers, the capacity of such drums or containers and whether such containers ever contained liquid of any sort. If so, specify the type of liquid and whether such liquids contained wastes of any kind, including but not limited to PCBs.
25. Did the material shipped include scrap automobiles? If so, specify the generators of the scrap automobile and in what state or condition the scrap auto was accepted at the Sites. What, if any, components of the automobiles were removed before transport to the Sites? Describe what was removed, and where such removal occurred. Include in your description any attempt to remove any hazardous substances (e.g., battery paste/mud, battery acid, PCB, asbestos) from the components.
26. Describe Lefton's recycling procedures employed on scrap automobiles. What components of the automobiles were removed after transport to the Sites? Describe what was removed, and where such removal occurred. Include in your description any attempt to remove any hazardous substances (e.g., battery paste/mud, battery acid, PCB, asbestos) from the components.
27. Describe all efforts (i.e., site visits) taken by the companies which sent scrap metal to the Sites [and/or broker] to determine what would be done with the scrap metal identified in your response to question 21(a).
28. What steps (e.g., internal procedures, federal, state, and local compliance inquiries) were taken by companies that contributed scrap metal to the Sites [and/or broker] to ensure that Lefton was in compliance with applicable Federal environmental regulations or standards, and any amendments with respect to scrap metal?
29. Describe the efforts your company undertook with respect to the management and handling of the scrap metal listed in your response to question 21(a), including the extent to which you complied with customary industry practices current at the time of the transaction designed to minimize contamination of the Sites and/or releases of hazardous substances at the Sites.
30. Provide all information in your possession that shows that you were in compliance with applicable Federal environmental regulations or standards regarding the storage, transport, management, or other activities associated with the recycling of scrap metal listed in your response to question 21(a).

Questions and Request for Documents Related to Batteries

31. For the following questions which relate to transactions involving batteries (lead-acid batteries, nickel-cadmium batteries, reject batteries, and other spent batteries), provide the requested information, and also provide copies of any documents that contain any information that is related to the response:
- (a) Provide an estimate of all shipments of whole batteries sent to the Sites on an annual basis. List the top five (5) companies that sent the most batteries to the Sites on an annual basis. In this list, provide an approximation of number of batteries, type of battery (e.g., lead-acid, nickel-cadmium, reject, or other) and quantity sent.
 - (b) What commercial specification grade did the batteries listed in your response to question 31(a) meet? Identify/list the commercial specification grades that each type of battery identified in question 31(a) met.
 - (c) Did a market exist for the batteries listed in your response to question 31(a)? If so, describe the nature of such market at the time of the transaction (possible uses, possible consumers, etc.) and the source of that commercial specification grade (e.g., Institute of Scrap Recycling Industries, Inc. (ISRI), Department of Defense, or wherever your company would find the grade published).
 - (d) At the time of the transaction(s) what was the intended disposition of the batteries listed in your response to question 31(a)?
 - (e) After sale, transfer, delivery, or disposal, what portion of the batteries listed in your response to question 31(a) was to be made available for use as a feedstock for manufacturing new saleable products? Explain how the portion identified in this answer was derived or calculated.
 - (f) Could the batteries listed in your response to question 31(a) have been used as a replacement or substitute for a virgin raw material? If so, provide details.
 - (g) Could any products to be made from the batteries listed in your response to question 31(a) have been used as a replacement or substitute for a product made, in whole or in part, from a virgin raw material? If so, provide details.
 - (h) Was the transaction between your company and the facility at the Sites: 1) an outright sale; 2) subject to a written or verbal "tolling" agreement between the companies; or 3) reflected the "banking" of the transacted material in a metal

account at the request of your company for return or other disposition at a later date.

- (i) What, if any, components of the whole batteries listed in your response to question 31(a) were removed before transport to the Sites? Describe what was removed, and where such removal occurred. Include in your description any attempt to remove any hazardous substances (e.g., battery paste/mud, battery acid) from the components.
- (j) Were the components of the whole batteries removed once delivered to the Sites? Describe the method used to recover the components. Include in your description any attempt to remove any hazardous substances (e.g., battery paste/mud, battery acid) from the components.

- 32. Describe all efforts (i.e., site visits) taken by the companies [and/or broker] which sent batteries to the Sites to determine what would be done with the batteries identified in your response to question 31(a). Identify the companies that took such steps and when they were taken.
- 33. What steps (e.g., internal procedures, federal, state, and local compliance inquiries) were taken by companies that sold, transferred, or delivered batteries to the Sites to ensure that Lefton was in compliance with applicable Federal environmental regulations or standards, and any amendments with respect to batteries? Identify the companies that took such steps and when they were taken.
- 34. Describe the efforts your company undertook with respect to the management and handling of the batteries listed in your response to question 31(a), including the extent to which you complied with customary industry practices current at the time of the transaction designed to minimize contamination of the Sites and/or releases of hazardous substances at the Sites.
- 35. Provide all information in your possession that shows that you were in compliance with applicable Federal environmental regulations or standards regarding the storage, transport, management, or other activities associated with the recycling of batteries listed in your response to question 31(a).

Questions and Request for Documents
Related to Scrap Paper, Scrap Plastic, Scrap Textile Questions

36. For the following questions which relate to transactions involving scrap paper, scrap plastic, or scrap textile (scrap material), provide requested information, and also provide copies of any documents that contain any information that is related to the response:
- (a) Provide an estimate of all shipments of scrap paper, scrap plastic, or scrap textile sent to the Sites on an annual basis. List the top ten (10) companies that sent the most scrap material to the Sites on an annual basis. In this list, include the type and an estimate of the quantity of scrap material sent to the Sites.
 - (b) What commercial specification grade did the scrap material listed in your response to question 36(a) meet? List/identify the commercial specification grades that each scrap material identified in 36(a) met.
 - (c) Did a market exist for the scrap materials listed in your response to question 36(a) above? If so, describe the nature of such market at the time of the transaction (possible uses, possible consumers, etc.) and the source of that commercial specification grade (e.g., Institute of Scrap Recycling Industries, Inc. (ISRI), Department of Defense, or wherever your company would find the grade published).
 - (d) At the time of the transaction(s), what was the intended disposition of the scrap material listed in your response to question 36(a)?
 - (e) After sale, transfer, delivery, or disposal, what portion of the scrap material listed in your response to question 36(a) was to be made available for use as a feedstock for manufacturing of new saleable products? Explain how the portion identified in this answer was derived or calculated.
 - (f) Could the scrap material listed in your response to question 36(a) have been used as a replacement or substitute for a virgin raw material? If so, provide details.
 - (g) Could any products to be made from the scrap material listed in your response to question 36(a) have been used as a replacement or substitute for a product made, in whole or in part, from a virgin raw material? If so, provide details.
37. Describe all efforts (i.e., site visits) taken by the companies which sent scrap material to the Sites [and/or broker, if applicable] to determine what would be done with the scrap material identified in your response to question 36(a).

38. What steps (e.g., internal procedures, federal, state, and local compliance inquiries) were taken by companies that sent scrap material to the Sites to ensure that Lefton was in compliance with applicable Federal environmental regulations or standards, and any amendments with respect to scrap material?
39. Describe the efforts your company undertook with respect to the management and handling of the scrap material listed in your response to question 36(a), including the extent to which you complied with customary industry practices current at the time of the transaction designed to minimize contamination of the Sites and/or releases of hazardous substances at the Sites.
40. Provide all information in your possession that shows that you were in compliance with applicable Federal environmental regulations or standards regarding the storage, transport, management, or other activities associated with the recycling of scrap material listed in your response to question 36(a).

Questions and Request for Documents Related to Electrical Equipment

41. For the following questions which relate to transactions involving electrical equipment (e.g., transformers, capacitors, white goods, other electrical equipment), provide the requested information, and also provide copies of any documents that contain any information that is related to the response:
- (a) List an estimated number of shipments of electrical equipment sent to your Sites on an annual basis. In this list, include the following:
 - i the type and quantity of electrical equipment sent;
 - ii. the top ten (10) companies that sent the most electrical equipment to the Sites on an annual basis.
 - iii. the amount paid or collected in connection with the transaction for each category of electrical equipment and the method of payment
 - (b) What was the intended disposition of the electrical equipment listed in your response to question 41(a)?
 - (c) For equipment listed in your response to question 41(a), indicate whether it was oil filled when in use. Supply any and all records that may indicate the contents of the oil, in particular whether the oil may have contained PCBs. Briefly indicate what steps were taken to determine whether the oil contained PCBs at the time the equipment was taken out of service or disposed of, and explain what precautions were taken to ensure that any PCBs contaminating the equipment were disposed of properly.

(d) Did your company ever receive transformers or any other oil-filled electrical equipment at the Sites? If so, provide the following details for each item that may have been sent to the Sites:

- i. The name of the manufacturer, manufacture date, and serial number;
- ii. The quantity of oil contained in the equipment;
- iii. The concentration of PCBs contained in the oil;
- iv. The purpose of the shipment (i.e., repair or resale);
- v. The disposition of the equipment after being sent to the Sites;
- vi. The time period which the equipment remained at the Sites;
- vii. The company name, address, and telephone number of the transporter; and
- viii. The names, address, telephone numbers, and dates of ownership of any and all prior owners.

42. Describe all efforts (i.e., site visits) taken by the companies [and/or broker] which sent electrical equipment to the Sites to determine what would be done with the electrical equipment identified in your response to question 41(a).
43. What environmental or other precautions, if any, were taken by your company to ensure compliance with the Toxic Substance Control Act, which regulates PCBs, including their disposal; to insure compliance with other environmental laws; and/or to avoid improper disposal of hazardous wastes?
44. Describe the efforts your company undertook with respect to the management and handling of the electrical equipment listed in your response to question 41(a), including the extent to which you complied with customary industry practices current at the time of the transaction designed to minimize contamination of the Sites and/or releases of hazardous substances at the Sites.
45. Provide all information in your possession that shows that you were in compliance with applicable Federal environmental regulations or standards regarding the storage, transport, management, or other activities associated with the recycling of the electrical equipment listed in your response to question 41(a).

Exhibit 2

46. Describe in detail the nature, characteristics and total quantities received, of the material referenced below [from Exhibit 2], including whether such materials ever contained or were coated with oil or hazardous substances, such as PCBs or lead:

<u>Exhibit 2 page #</u>	<u>Generator</u>	<u>Material</u>
1	Aledco Health Care	Painted Chips

2	Beckwood Industries	Trash
3	Breiner Equipment Co.	Aluminum tank car bodies
4	Columbian Chemicals Co.	Contaminated copper
6	E.H. Baare Corporation	Wire
7	Fasco Industries	Contam. Mag wire
7	Federated Iron and Metal	10 W K Generator
9	Intertherm	5 Essco Hopper boxes
10	K.J. Metal Fabricators	1 2-yd Essco Hopper
11	Mack Truck	Loose batteries
14	National Venders	Contam. Copper, painted clips
14	Onra-Metal	Painted clips
16	Sears	Painted clips
16	Sauget Warehouse	Unspecified
17	The Steel Supply	Painted clips
19	Von Weise Gear	Contaminated die cast
20	General Electric	Motors with armatures, transformers

47. Provide all documents containing information relating to or responsive to questions 1-46 above.